



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/660,877

09/12/2003

George Bonar

132GB-001A

6949

7590

01/04/2005

Bradley N. Ruben, PC  
Suite 5A  
463 First Street  
Hoboken, NJ 07030

EXAMINER

ZEADE, BERTRAND

ART UNIT

PAPER NUMBER

2875

DATE MAILED: 01/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/660,877	Applicant(s) BONAR, GEORGE	
	Examiner Bertrand Zeade	Art Unit 2875	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 12 September 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 September 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

Art Unit: 2875

## **DETAILED ACTION**

### ***Drawings***

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: "111". Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Claims Objections***

Claim 5 is objected to because of the following informalities: "a rechargeable battery the lamp" is ambiguous. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Art Unit: 2875

3. Claims 1-4 are rejected under 35 U.S.C. 102(b) as being anticipated by Hopkins et al. (U.S. 3,672,063).

Hopkins ('063) discloses a headlamp aiming device with orientation sensing having:

Regarding claim 1, a frame (see claim 18) adapted to attach to a vehicle (not numbered) behind where the headlamp (12) is normally positioned. The frame comprising one or more back plates (108) to which the headlamp (12) is secured. The frame further comprising a plurality of arms or push rod (52) along which the back plates (108) can move axially, and one or more coil springs (208) engaging between the frame and one or more back plates (108) and effective to maintain the headlamp (12) in a normal position and to allow rearward movement of the headlamp (12) in response to a direct impact to the headlamp (12).

Regarding claim 2, there is a single back plate (108).

Regarding claim 3, two back plates (108) and wherein a back plate (108) spans two of the arms (52).

Regarding claim 4, a back plate (108) for each arm.

4. Claims 5-9 are rejected under 35 U.S.C. 102(b) as being anticipated by Gaus

5. (U.S. 5,604,406).

Gaus ('406) discloses a portable lamp for use with a rapid start metal halide bulb having:

Regarding claim 5, a lamp (11) having a handle (40) and an electrical connection to a rechargeable battery (51). A rechargeable battery (51) of the lamp (11) having a first electrical connection to the lamp (11) for powering the lamp (11) and having second electrical connection to the vehicle's electrical system for recharging the battery (51), and a first housing (1) in which the lamp (11) is removably retained.

Regarding claim 6. The lamp of claim 5, wherein the first housing joins to a second housing attached to the body of the vehicle.

Regarding claim 7, the lamp (11) and housing (1) are located in the vehicle's trunk.

Regarding claim 8, the lamp (11) further comprises removeable handle (40).

Regarding claim 9, the first electrical connection to the lamp (11) runs through the handle (40).

6. Claims 10-14 are rejected under 35 U.S.C. 102(b) as being anticipated by Dunn (U.S. 6,742,916).

Dunn ('916) discloses a fiber optic light assembly and mounting apparatus for boats having:

Regarding claim 10 as shown in (figs 1, 5), a housing (50), a bulb (64), and a lens, wherein the improvement comprises means (74) for changing the color of the light (64) emanating therefrom.

Regarding claim 11 as shown in (figs 1, 5), the means (74) for changing the color comprises a flexible filter (74) disposed in front of the lens, the filter having at least two

Art Unit: 2875

areas of different colors, and further comprising means (74) for moving the filter between the at least two areas of different colors (col. 8, lines 19-35).

Regarding claim 12 as shown in (figs 1, 5), a mechanical means (74) for cleaning the filter.

Regarding claim 13 as shown in (figs 1, 5), the means (74) for changing the color comprises an electrochromic device allowing light to pass there through.

Regarding claim 14 as shown in (figs 1, 5), the means for changing the color comprises a color wheel (74) disposed inside the housing (50).

### ***Contact Information***

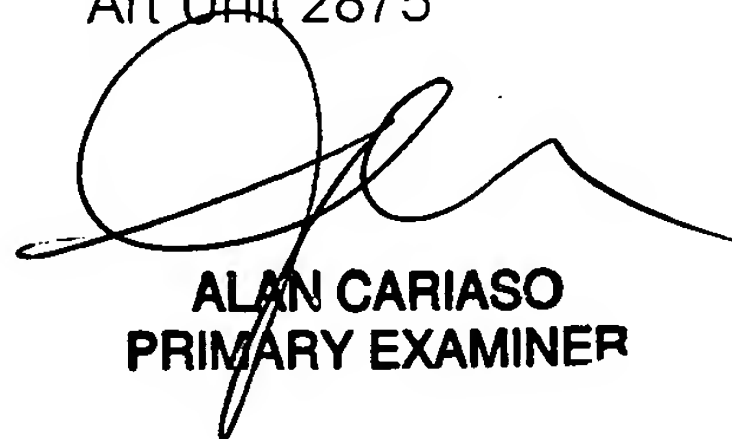
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bertrand Zeade whose telephone number is 571-272-2387. The examiner can normally be reached on 9:30 AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on 571-272-2378. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2875

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Bertrand Zeade  
Examiner  
Art Unit 2875



**ALAN CARIASO**  
**PRIMARY EXAMINER**